

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter	)	
	)	
Telecommunications Relay Services and	)	CC Docket No. 98-67
Speech-to-Speech Services for	)	
Individuals with Hearing and Speech	)	
Disabilities	)	
	)	
Americans With Disabilities Act of 1990	)	CG Docket No. 03-123

**COMMENTS OF VERIZON WIRELESS**

Verizon Wireless hereby submits its comments regarding the above-captioned proceeding in which the Commission seeks to expand the role of telecommunications relay services (“TRS”) facilities for emergency call handling.<sup>1</sup> The Commission seeks comment, among other things, about whether: (1) wireless carriers have the capability and/or should be required to transmit Phase I or II E911 data to TRS facilities; and (2) the benefits and challenges associated with new E911 call handling requirements for TRS facilities. Verizon Wireless will address these issues as they implicate its wireless networks, and will defer to TRS providers to comment on issues concerning their capability and protocols.

**I. PSAP CENTERS ARE THE BEST PLACE FOR HANDLING EMERGENCY CALLS FROM ALL PERSONS REGARDLESS OF DISABILITY**

In the section of the *TRS NPRM* discussing handling of emergency calls, the Commission correctly notes that dialing 911 is the most familiar and effective way

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<sup>1</sup> In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, *Second Report and Order, Order on Reconsideration*,

Americans have of finding help in an emergency.<sup>2</sup> The use of 911 has expanded due to Congress's enactment of the Wireless Communications and Public Safety Act of 1999, which designated 911 as the national emergency number for accessing the nation's public service answering points ("PSAPs").<sup>3</sup> The *TRS NPRM* also notes that the Americans with Disabilities Act ("ADA") requires all PSAPs to provide direct, equal access to their service by persons with disabilities and that dialing 911 (using a TTY) is the recommended method for reaching emergency assistance by persons with disabilities.<sup>4</sup> However, sometimes emergency calls are made (using a TTY) to a TRS facility by dialing 711 or another direct dialing access code, instead of dialing a PSAP directly. The TRS facility must then relay the emergency to a PSAP.

**A. Section 225 Does Not Require Delivery of Wireless Location Data to TRS Facilities**

The Commission has concluded that consistent with the functional equivalency mandate of Section 225 governing TRS, TRS facilities must be capable of routing not only wireless emergency calls but also wireless location information to the appropriate PSAP.<sup>5</sup> Verizon Wireless disagrees with the conclusion that functional equivalency requires that non-PSAPs have the capability of routing wireless E911 location information directly to PSAPs. Moreover, such capability is not possible since the generation and transmission of the location data from wireless networks is not triggered if 911 is not dialed. Without the location data, a non-PSAP cannot determine the

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*and Notice of Proposed Rulemaking*, CC Docket No. 98-67, CG Docket No. 03-123, Rel. June 17, 2003, ("TRS NPRM").

<sup>2</sup> *TRS NPRM* at ¶37.

<sup>3</sup> Wireless Communications and Public Safety Act of 1999, 47 U.S.C. § 609.

<sup>4</sup> *TRS NPRM* at ¶37.

<sup>5</sup> *TRS NPRM* at ¶40.

appropriate PSAP for routing emergency calls and cannot ultimately send data that it does not have.

The notion of functional equivalency is that persons with disabilities be provided with the same degree of functionality as persons who do not have a hearing impairment or speech impairment during communication by radio or by wire.<sup>6</sup> In instances where a non-emergency number is dialed to reach a non-PSAP (such as a call center for 211, 311,<sup>7</sup> 511, telematics services) by *anyone*, the non-PSAP is in the same position as a TRS facility. It must relay the emergency to a PSAP and has no location information (unless provided by the caller) to assist in this process or to send to PSAP. Access to emergency services – that includes wireless location data and routing to the appropriate PSAP based on that location data – *by persons with or without a disability* requires them to dial 911.

**B. All Callers Must Rely On PSAPs for E911 Capabilities By Dialing 911**

Some medical emergencies incapacitate the speech or hearing abilities of any person, and therefore PSAPs must be able to deal with *all* calls from persons unable to articulate their emergency or location. The wireless E911 capability has provided a useful tool for PSAPs in locating distressed persons, whether they can fully communicate or not. However, that capability is limited to the E911 network deployed between wireless carriers, LECs and PSAPs that is accessed only by dialing 911. There is no

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<sup>6</sup> 47 U.S.C. § 225(a)(3).

<sup>7</sup> Because of the uniqueness of 911, the FCC has stated, "We expressed confidence in local education programs in jurisdictions implementing 311 service to lessen the possibility of confusion between 311 and 911 by focusing on the importance of continuing to dial 911 in true emergencies." Use of N11 Codes and Other Abbreviated Dialing Arrangements, *Third Report and Order and Order on Reconsideration*, 15 FCC Rcd. 16753 (2000) at ¶26.

substitute or equivalent to reaching an upgraded PSAP for transmitting wireless E911 Phase I and II location information.<sup>8</sup>

In recognition of this fact, the ability of persons with disabilities to utilize wireless devices during an emergency was enhanced during the TTY proceeding that required compatibility between TTY devices and digital wireless handsets. The TTY/E911 rule<sup>9</sup> was designed to ensure access to the 911 network by persons with disabilities utilizing digital wireless handsets.<sup>10</sup>

Not only are there technical limitations, but there are also policy considerations seemingly unexamined by the *TRS NPRM* that render transmission of Phase I and Phase II E911 information to TRS facilities problematic. First, all 911 calls trigger wireless networks to process the call differently and then calculate and transmit location data to Phase I or II capable PSAPs. For example, wireless carrier networks bypass subscriber validation for 911 calls and thus allow calls to 911 to be placed by any phone that can communicate with the wireless network, regardless of subscription or account status. The same treatment is not provided to 711 calls (or any other calls) since it is not a designated emergency number. Calls to non-emergency numbers can be denied based on account delinquency or other service plan restrictions during subscription validation.

Second, since every call to 911 is considered an emergency situation in which the caller desires to be located, every 911 call made in an area where the PSAPs are upgraded with Phase I or II capability triggers a location attempt. Most calls to 711 are not emergencies and subscribers may not desire transmission of location information every

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<sup>8</sup> If a commercial location apparatus is invented in the future to exist alongside the private E911 network, perhaps such application will be transportable in a way that the private 911 networks are not.

<sup>9</sup> 47 C.F.R. § 20.18(c).

time they call a TRS facility. Additionally, if carriers were required to get a location fix on all 711 calls in the same way that they process 911 calls, this would stress emergency network capacity and divert system resources away from locating and processing 911 calls. Paramount focus and concern must be placed on training and development of PSAP facilities to provide functionally equivalent service to persons with disabilities when they dial 911.

## **II. THE CAPABILITY OF WIRELESS E911 SYSTEMS IS TIED TO DIALING 911 AS MANDATED BY CONGRESS AND IS CONSISTENT WITH THE COMMISSION'S RULES**

The Commission has asked whether wireless carriers have the capability and whether they should be required to transmit Phase I or Phase II E911 information to TRS facilities. Verizon Wireless's Phase I and II E911 systems do not have the capability to transmit location information to TRS facilities, nor should they.

### **A. Location Data**

Verizon Wireless's location determining apparatus is triggered when a caller dials 911 (and only 911) and transmits location data if the Phase I or II system has been activated and is "live" with area PSAPs. Depending on the Phase I solution selected by the PSAP (i.e., CAS or NCAS), wireless carriers generate Phase I location information (cell/sector and ANI) and deliver that information to the local exchange carrier's ("LEC") (or other 911 service provider hired by the PSAP) ALI system for delivery to the appropriate PSAP. If the PSAP is Phase II capable, and the caller is using a suitably equipped cell phone (i.e., GPS-enabled) on the Verizon Wireless network, the network launches a request for Phase II location information to its Position Determining

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<sup>10</sup> Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, *Fourth Report and Order*, 15 FCC Rcd. 25216 at ¶ 1 (2000).

Equipment (“PDE”). When the PDE successfully determines the Phase II location information, this information is also passed to the LEC, for delivery to the PSAP. None of this call routing or request for location data is triggered by the dialing of the digits “711” or an alternate TRS access number.

#### **B. Emergency Call Routing**

Under Commission rules, wireless carriers are required to route 911 calls irrespective of user validation criteria.<sup>11</sup> To accomplish this, wireless networks were engineered to bypass all normal call validation protocols on 911 calls. Without normal call validation, the network processes all 911 calls the same and does not distinguish between different types of calls. No other series of digits triggers this network response.

Even if the network could be made to react to 711 calls in the same way that it reacts to 911 calls, there is the additional complication in determining which 711 call is an emergency call as opposed to a normal call through the TRS system. If all 711 calls are assumed to be emergencies, the wireless network will be processing location data for a small percentage of calls truly needing the information, and using network capacity unnecessarily for the other calls, which are likely to be the majority of 711 calls. The ability to selectively locate calls is not a component of the current wireless enhanced 911 system functionality and would require a special development effort, assuming some selection criteria could be established. Development of a new system functionality to selectively locate certain 711 callers only during an emergency would divert resources from implementation and improvement of the wireless E911 system.

The Commission should not extend to wireless carriers and TRS facilities any requirement to route 711 calls to the appropriate PSAP, which would require TRS

facilities to, in effect, become primary PSAPs themselves. The Commission is well aware of the status of the Nation's PSAPs to become ready to be able to accept and use Phase I and Phase II E911 information. In its latest E911 Status Report filed August 1, 2003 to the Commission, Verizon Wireless reported that it was providing Phase I E911 service to 1,975 of the Nation's 7,200 PSAPs. Verizon Wireless has deployed Phase II to 699 PSAPs. While some requests were pending and are currently being worked, there are thousands of PSAPs that have not requested either service yet, for a variety of reasons, despite the availability of E911 service. Given the technical, financial and logistical challenges E911 already presents to the nation's PSAPs and the industry, the Commission should focus its efforts on facilitating PSAP readiness, not forcing new requirements on wireless providers and TRS facilities.

### **III. CONCLUSION**

For the foregoing reasons, the Commission should not extend to wireless carriers or TRS facilities any requirement to route wireless 711 calls to the appropriate PSAP and transmit wireless location information.

Respectfully submitted,

**Verizon Wireless**

By:

A handwritten signature in black ink that reads "John T. Scott, III". The signature is written in a cursive, stylized font. The "J" is large and loops around the "S". The "III" is written as three distinct vertical strokes.

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<sup>11</sup> 47 C.F.R. § 20.18(b).

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